

# BEAUMONT

TEXAS

## MINUTES - CITY OF BEAUMONT

W.L. Pate, Jr., At-Large  
Claude F. Guidroz, Ward I  
Audwin Samuel, Ward III  
Tyrone E. Cooper, City Attorney

**BECKY AMES, MAYOR**  
CITY COUNCIL MEETING  
October 11, 2016  
Kyle Hayes, City Manager

Gethrel Wright, At-Large  
Michael D. Getz, Ward II  
Robin Mouton, Mayor Pro Tem  
Tina Broussard, City Clerk

The City Council of the City of Beaumont, Texas, met in a regular session on **October 11, 2016**, at the City Hall Council Chambers, 801 Main Street, Beaumont, Texas, at 1:30 p.m. to consider the following:

### OPENING

- \* Invocation                      Pledge of Allegiance                      Roll Call
- \* Presentations and Recognition
- \* Public Comment: Persons may speak on scheduled agenda items 1-3/Consent Agenda
- \* Consent Agenda

Mayor Ames called the council meeting to order at 1:30 p.m.

Pastor Big Jim Salles of West End Baptist Church gave the invocation. Joey Garcia with Grace Co-op Home School led the Pledge of Allegiance. Roll call was made by Tina Broussard, City Clerk.

Present at the meeting were Mayor Ames, Mayor Pro Tem Mouton, Councilmembers Guidroz, Getz, Wright and Pate. Absent: Councilmember Samuel. Also present were Kyle Hayes, City Manager; Tyrone Cooper, City Attorney; Tina Broussard, City Clerk.

### Proclamations, Presentations, Recognitions

**"Italian American History Month"** - October, 2016 - Proclamation read by Councilmember Wright; accepted by Kathryn Hinojosa, President of the Italian American History Society of Beaumont

The Mayor also recognized the Grace Co-op Home School; High School Government class under Mr. Wade Billingsley

**Public Comment:** Persons may speak on scheduled agenda items 1-3/Consent Agenda.

**None**

### CONSENT AGENDA

- \* Approval of minutes – September 27, 2016
- \* Confirmation of committee appointments - **None**

- A) Approve the renewal of an annual maintenance agreement for SunGard Public Sector software support for use by all City Departments – **Resolution 16 – 191**
- B) Approve the purchase of network drive storage from WatchGuard Video for use in the Police Department - **Resolution 16 - 192**
- C) Approve the purchase of a Microsoft Office 365 replacement email system from Tangent for use by all City departments - **Resolution 16 – 193**
- D) Approve the renewal of lease agreements with Bar C Ranch for the Southeast Texas Auto Theft Task Force - **Resolution 16 - 194**
- E) Authorize the City Manager to execute all documents necessary in order for the Southeast Texas Auto Theft Task Force to maintain an ad panel display of public information at Parkdale Mall - **Resolution 16 - 195**
- F) Authorize the City Manager to execute an Industrial District Contract with The Dow Chemical Company - **Resolution 16 - 196**
- G) Approve an amendment to the Ticketmaster, L.L.C. Licensed User Agreement used by the Event Facilities Department - **Resolution 16 - 197**
- H) Authorize the City Manager to terminate the interim lease agreement with the Beaumont Yacht Club, Inc. - **Resolution 16 - 198**

Councilmember Pate moved to approve the Consent Agenda. Councilmember Guidroz seconded the motion.

**AYES:** MAYOR AMES, MAYOR PRO TEM MOUTON, COUNCILMEMBERS GUIDROZ, GETZ, WRIGHT AND PATE

**NAYS:** NONE

**MOTION PASSED**

## **GENERAL BUSINESS**

1. Consider a resolution authorizing the City Manager to award a bid to Brystar Contracting, Inc. for the Construction of Northwest Parkway (From Major Drive to Parkdale Mall Loop) Project Bid No. PW0516-13. – **This item was deferred**

Northwest Parkway will connect Parkdale Mall with Major Drive, Folsom Drive and Old Dowlen Road. The connection with Major Drive will be through Homsar Boulevard and the connection with Folsom Drive will be through Pointe Parkway. The new four (4) lane roadway will relieve traffic congestion on Dowlen Road by providing alternate routes to the City's major thoroughfares.

On September 22, 2016, five (5) formal bids were received. The bid totals are shown in the table below.



<b>Contractor</b>	<b>Location</b>	<b>Bid</b>
MK Constructors	Vidor, Texas	\$12,109,789.38
Brystar Contracting, Inc.	Beaumont, Texas	\$13,445,330.23
APAC	Beaumont, Texas	\$14,709,201.06
ALLCO	Beaumont, Texas	\$14,762,879.42
L&L General Contractors	Beaumont, Texas	\$16,102,090.53

The City's engineering consultant, Chica & Associates, Inc., recommends award to Brystar Contracting, Inc., of Beaumont, Texas. The apparent low bidder, MK Constructors of Vidor, Texas did not supply adequate credentials showing a sufficient level of experience of completed projects comparable to the Northwest Parkway project. Public Works/ Engineering is in agreement with the consultant's recommendation.

Brystar Contracting, Inc., has committed a registered Minority Business Enterprise (MBE) contractor participation in the amount of \$2,165,000. A total of 540 calendar days is allocated in the completion of the project.

The project will be paid for from Oil and Gas Revenues and the Capital Program.

Approval of Resolution.

2. Consider a resolution authorizing the Second Amendment to the Engineering Service Contract with Lockwood, Andrews & Newnam, Inc. (LAN) for Phase Three of the Master Drainage Plan.

On November 12, 2014, by Resolution No. 14-244, City Council authorized the City Manager to execute an Agreement with Lockwood, Andrews & Newnam, Inc. (LAN) of Houston, Texas in the amount of \$500,000 for Phase One (1) of the Master Drainage Plan.

The purpose of this Master Drainage Plan is to develop an accurate and current understanding of the City's drainage infrastructure and potential solutions to drainage problems. The original agreement executed on November 17, 2014 was understood by the City and LAN that the project would be divided into three (3) phases with a total budget of \$1,500,000 and \$500,000 designated per phase.

On October 13, 2015, by Resolution No. 15-229, City Council authorized the City Manager to execute Amendment No. 1 to the Engineering Services Contract between the City and LAN in the amount of \$500,000, for Phase Two (2) of the Storm Water Master Drainage Plan.

LAN is pleased to report that Phase Two (2) is progressing according to schedule and within budget. It is in the best interest of the City and the project team to begin Phase Three (3) to allow LAN to maintain the commitment of the project team who specializes in digital data inventory, while the drainage analysis team members focus on completing Phase Two (2).

Approval of Resolution.

Councilmember Wright moved to APPROVE A RESOLUTION THAT THE CITY MANAGER BE AND HE IS HEREBY AUTHORIZED TO EXECUTE AMENDMENT NO. 2 TO THE ENGINEERING SERVICES CONTRACT BETWEEN THE CITY OF BEAUMONT AND LOCKWOOD, ANDREWS AND NEWMAN, INC., (LAN) IN THE

AMOUNT OF **\$500,000**, FOR PHASE THREE (3) OF THE STORM WATER MASTER PLAN. Councilmember Pate seconded the motion.

AYES: MAYOR AMES, MAYOR PRO TEM MOUTON, COUNCILMEMBERS GUIDROZ, GETZ, WRIGHT AND PATE

NAYS: NONE

MOTION PASSED

### Resolution 16 - 199

3. Consider an ordinance amending Section 22.05.211(c) of the Code of Ordinances by making changes to the City's recycling service. - **This item was deferred**

On August 23, 2016 the City Council voted to institute a voluntary single stream curbside recycling program in the City of Beaumont. As part of the program, the Council authorized a monthly recycling fee of \$11.50 per month and a recycling container fee of \$58.00. The recycling container was to remain the property of the City of Beaumont.

After receiving feedback from potential customers, staff has determined that it would be more appropriate to allow customers to retain ownership of the recycling container after paying the \$58.00 fee. The ordinance under consideration today removes the language stating that the recycling container remains the property of the City of Beaumont.

Approval of Ordinance.

### COMMENTS

- \* Councilmembers/City Manager/City Attorney comments on various matters

### COUNCILMEMBER COMMENTS

MAYOR PRO TEM MOUTON -

REMINDING EVERYONE THAT TODAY IS THE LAST DAY TO REGISTER TO VOTE IN THE NOVEMBER ELECTION, ALSO WE ARE STILL CELEBRATING BREAST CANCER AWARENESS MONTH, COMMENTED ON HER ATTENDANCE OF THE TML DIVISION MEETING THAT WAS HELD OUTSIDE OF FORD PARK, AS WELL AS THE TML CONFERENCE HELD ON LAST WEEK IN AUSTIN, TX, CONGRATULATED THE FIRE MUSEUM FOR THE \$10,000 DONATION THEY RECEIVED FROM PHILLIPS 66

COUNCILMEMBER SAMUEL -

ABSENT

COUNCILMEMBER PATE -

COMMENTED ON THE TML DIVISION MEETING, CONGRATULATED COUNCILMEMBER GETZ FOR BEING ELECTED TO A TWO YEAR TERM FOR SECRETARY OF REGION 16, AS WELL THE ATTENDANCE OF THE TML CONFERENCE IN AUSTIN, TX, MADE COMMENTS IN REGARDS TO LAMAR UNIVERSITY FOOTBALL AND THE THEIR GAME THIS



**SATURDAY, ENCOURAGED EVERYONE TO SUPPORT LAMAR FOOTBALL**

**COUNCILMEMBER WRIGHT -**

**COMMENTED ON DOGTOBER FEST THAT WAS HELD ON SATURDAY, IT WAS A LARGE AND WELL ATTENDED EVENT THAT WAS SPONSORED BY BEAUMONT MAIN STREET, ALSO COMMENTED ON THE TML CONFERENCE THAT SHE ATTENDED IN AUSTIN, TX, MADE REMARKS ABOUT THE STREETS AND THE WATER AND SEWER SYSTEM, ASKED THE CITIZENS THINK ABOUT ENTERTAINING A BOND ISSUE, THIS IS SOMETHING THAT WILL HELP GET EVERYTHING UP TO DATE**

**COUNCILMEMBER GETZ -**

**COMMENTED ON THE TML CONFERENCE THAT HE ATTENDED IN AUSTIN, TX, CONGRATULATED COUNCILMEMBER PATE ON BEING ELECTED AS 1<sup>ST</sup> VICE PRESIDENT BY THE TEXAS ASSOCIATION OF MAYORS, COUNCILMEMBERS AND COMMISSIONERS, INVITED EVERYONE TO ATTEND THE UPCOMING OCTOBER FEST THAT WILL BE SATURDAY, OCTOBER 15, 2016, 3:00 P.M., AT ROGERS PARK**

**COUNCILMEMBER GUIDROZ -**

**CONGRATULATED COUNCILMEMBER PATE ON BEING ELECTED AS 1<sup>ST</sup> VICE PRESIDENT BY THE TEXAS ASSOCIATION OF MAYORS, COUNCILMEMBERS AND COMMISSIONERS, HE PUTS IN A LOT OF HOURS AND TIME AND REPRESENTING THE CITY SO WELL, THANKED EMPLOYEES THAT ARE DOING SMALL THINGS BEHIND THE SCENES, THAT MAKE THINGS HAPPEN**

**CITY ATTORNEY COOPER -**

**NONE**

**CITY MANAGER HAYES -**

**NONE**

**MAYOR AMES -**

**MADE COMMENT ON DOGTOBER FEST, STATED THAT SHE LOVES DOGTOBER FEST AND THIS IS THE FIRST TIME THAT SHE HAS HAD TO MISS IT, CONGRATULATED BEAUMONT MAIN STREET AS IT WAS WELL ATTENDED AND A GREAT SUCCESS, COMMENTED ON THE BETTER BUSINESS BUREAU THAT SPONSORED THE SENIOR CELEBRATION/HEALTH FAIR THAT WAS WELL ATTENDED, AS WELL AS THE CULINARY SCHOOL AT LAMAR UNIVERSITY AND GOLDEN TRIANGLE CHEF'S ASSOCIATION THAT COOKS AND THE SABINE BEAUMONT AREA RESTAURANT ASSOCIATION WHO SPONSORS THE EVENT TO RAISE MONEY FOR SCHOLARSHIPS FOR THE STUDENTS**

**Public Comments** (Persons are limited to three minutes)

**Mark Taylor**

**2990 Texas St.**

**Beaumont TX**

Spoke regarding two vacant lots next to his home that he has been taking care of those lots, wanted to know of any information that the City has with a path of ownership for property that hasn't been cut or where the taxes haven't been paid, stated that he has spoken with the Tax Assessor Collector and would like to maintain and take possession of the vacant properties

**Mayor Ames read the announcement regarding Executive Session being held at the conclusion of the General Business portion of the meeting.**

**EXECUTIVE SESSION**

- \* Consider matters related to the deliberation of the purchase, exchange, lease or value of real property in accordance with Section 551.072 of the Government Code, to wit:

125 Magnolia (Warehouse located across from the Skate Park)

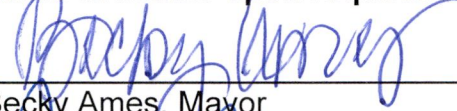
- \* Consider matters related to employment, evaluation and duties of a public officer or employee in accordance with Section 551.074 of the Government Code, to wit:

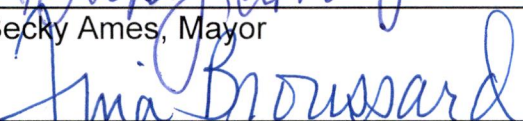
City Clerk – Tina Broussard

Open session of meeting recessed at 2:10 p.m.

There being no action taken in Executive Session, Council adjourned.

**Audio available upon request in the City Clerk's Office.**

  
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Becky Ames, Mayor

  
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Tina Broussard, City Clerk

